

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
GARY LA BARBERA, LAWRENCE KUDLA,
DENNIE GARTLAND, THOMAS KING, CHESTER
BROMAN, FRANK FINKEL, and JOSEPH
FERRARA as Trustees and Fiduciaries
of the Local 282 Welfare, Pension,
Annuity, Job Training and Vacation
and Sick Leave Trust Funds,

Plaintiffs,

-against-

BULLDOG CONSTRUCTION, LTD.,
Defendant.

-----x
ORDER ADOPTING MAGISTRATE

REPORT AND RECOMMENDATION

98-CV-7286 (JS) (MLO)

Appearances:

For Plaintiffs: Amie Ravitz, Esq.
Friedman & Wolf
1500 Broadway, Suite 2300
New York, New York 10036

For Defendants: Charles S. Hochbaum, Esq.
Law Offices of Charles Hochbaum
100 Ring Road West
Garden City, New York 11530

SEYBERT, District Judge:

Upon review of the Report and Recommendation of
Magistrate Judge Michael L. Orenstein, dated July 28, 2005, to
which no party has objected, the Court hereby ADOPTS the Report and
Recommendation in its entirety.

Judge Orenstein recommends that damages be awarded in the
amounts as follows:

\$106,535.09 in unpaid contributions

\$127,163.27 in interest on the unpaid contributions

\$127,163.27 in liquidated damages

\$74,101.25 in attorney's fees

\$12,649.59 in costs and disbursements

for a total award of \$447,612.47. Judge Orenstein also reports and recommends that (1) the damages award be with interest and taxable costs and disbursements and (2) attorney's fees and costs incurred from December 3, 2004 through the present be granted.

The docket sheet indicates that on July 28, 2005, the parties were electronically transmitted a copy of the Report and Recommendation by the court. Any objections had to be filed within 15 days of service or the right to appeal would be waived. The docket shows that no objections were filed. As no objections to the Report and Recommendations have been filed, all objections are hereby deemed to have been waived.

Accordingly, the Court ADOPTS the Report and Recommendation in its entirety. The Clerk of the Court is directed to mark this case as CLOSED.

SO ORDERED

/s/ JOANNA SEYBERT

Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
August 12, 2005